



P/2432-65

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mats Allers

Date: December 30, 2004

Serial No.: 10/072,857

Group Art Unit: 3763

Filed: February 5, 2002

Examiner: Roz Maiorino

For: CEREBRAL TEMPERATURE CONTROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Restriction Requirement mailed October 1, 2004.

It is noted that the undersigned is simultaneously filing a Power of Attorney in favor of the undersigned firm. All further correspondence concerning this application should be with the undersigned firm, therefore.

In response to the Restriction Requirement, Applicant elects Group I, claims 1-34, drawn to the method. This election of invention is made without traverse.

As to the species election requirement, Applicant would elect Species C, Figure 6a. But the undersigned is of the opinion that the species election requested is incorrect as applied to the elected method claims, since most method claims cover all of the species identified. Further, Fig. 5 is not a species, just a particular catheter.

Applicant submits that in accordance with its species election, it elects claims 1-10 as generic, claims 11-20 as generic, claim 28 as generic and claims 30-32 as generic. The few non-elected claims 21-27, 29 and 33 are covered by Fig. 4, but it is submitted that they should be examined here as well.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 30, 2004:

Robert C. Faber

Name of applicant, assignee or
Registered Representative

Signature

December 30, 2004

Date of Signature

Respectfully submitted,

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RCF:mjb